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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/519,459

01/04/2006

Herbert Papousek

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EXAMINER

HEWITT, JAMES M

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

07/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/519,459

Applicant(s)

PAPOUSEK

Examiner

James M. Hewitt

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 19-20 are objected to because of the following informalities:

In claim 19, line 3, "end" should be deleted.

In claim 20, line 3, "end" should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12-14, 16-18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Mantelle et al (US 4,373,750).

In Figure 10, Mantrelle et al discloses a coupling of drill anchors with a sleeve (3) with an inside thread and with two anchor pipes which bear an outside thread and which are screwed into the sleeve from opposing sides, essentially in the lengthwise middle of the sleeve there being an annular rib (between threads of the sleeve) which projects to the inside, the front surfaces of the ends of the anchor pipes, which ends are held in the sleeve, being located in the area of the annular rib and directly adjoining one another, and the outside surfaces of the ends of the anchor pipes adjoining the inner end surface

of the annular rib, forming a seal, characterized in that the annular rib has a cylindrical inner surface, that the outside surfaces of the cylindrically shaped, thread-free ends of the anchor pipes adjoin the inner end surface of the annular rib, forming a seal, that the front surfaces of the anchor pipes each have a chamfer outside, that there is at least one annular seal (stainless metal on front ends of pipes) on the annular rib, and that the annular seal is disposed in the space bounded by said chamfers and said rib; wherein the front surfaces of the anchor pipes adjoin one another to form a seal (as at chamfered inside parts 25); wherein in the sleeve on either side of the annular rib there are areas which have no inside thread; wherein the side surfaces of the annular rib with radii pass into the inside surface of the sleeve, into segments which are free of threads, wherein the front surfaces of the anchor pipes have a chamfer inside (as at ends of inside parts 25); wherein the width of the annular rib measured in the direction of the axis of the sleeve is essentially the same size as the sum of the lengths of the cylindrically shaped, thread-free ends of the anchor pipes, that is, lengths measured in the lengthwise direction of the anchor pipes; wherein the annular seal is disposed in the space bounded by said chamfers and said cylindrical inner surface.

Claims 12, 14-15 and 18-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuru et al (US 6,176,524).

In Figures 19(a) and 19(b), Tsuru et al discloses a coupling (10) of drill anchors with a sleeve (13) with an inside thread and with two anchor pipes (11, 12) which bear an outside thread and which are screwed into the sleeve from opposing sides,

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essentially in the lengthwise middle of the sleeve there being an annular rib which projects to the inside, the front surfaces of the ends of the anchor pipes, which ends are held in the sleeve, being located in the area of the annular rib and directly adjoining one another, and the outside surfaces (11f and 12f) of the ends of the anchor pipes adjoining the inner end surface (13e and 13e') of the annular rib, forming a seal, characterized in that the annular rib has a cylindrical inner end surface, that the outside surfaces of the cylindrically shaped, thread-free ends of the anchor pipes adjoin the inner end surface of the annular rib, forming a seal, that the front surfaces of the anchor pipes each have a chamfer (as at 11g and 12g) outside, that there is at least one annular seal (14) on the annular rib, and that the annular seal is disposed in the space bounded by said chamfers and said rib; wherein in the sleeve on either side of the annular rib there are areas which have no inside thread; wherein the side surfaces (13d and 13d') of the annular rib are aligned normally to the axis of the sleeve; wherein the width of the annular rib measured in the direction of the axis of the sleeve is essentially the same size as the sum of the lengths of the cylindrically shaped, thread-free ends of the anchor pipes, that is, lengths measured in the lengthwise direction of the anchor pipes; wherein the annular seal is inserted into an annular groove which is open to the inside in the cylindrical inner end surface of the annular rib; wherein the part of the annular seal which projects over the inner end surface of the annular rib is deformed by the chamfers of the front surfaces of the anchor pipes; wherein the annular seal is disposed in the space bounded by said chamfers and said cylindrical inner surface.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

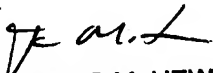
Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hewitt whose telephone number is 571-272-7084.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH
6/24/07


JAMES M. HEWITT
PRIMARY EXAMINER